



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

SEP 22 2016

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7014 1200 0000 6125 6008

Mr. Lester Randall
Chairman
Kickapoo Tribe in Kansas
1107 Goldfinch Road
Horton, Kansas 66439

Re: Public Drinking Water System Monitoring Requirements
Federal ID No.: 070000002

Notice of Violation

Dear Chairman Randall:

The Kickapoo Tribe operates a Public Water System, as defined by the Safe Drinking Water Act and 40 CFR § 141.2. The U.S. Environmental Protection Agency, Region 7 is the Primacy Agency tasked with oversight of the Kickapoo Tribal PWS. Every PWS in the United States is required to perform regular testing of its drinking water to make sure it is safe for human consumption.

The following violation was observed and documented during the April 2016 Sanitary Survey conducted at the Kickapoo Tribal PWS by the EPA. Here is a description of the violation and the required corrective action to return to compliance:

Violation: Combined Filter Effluent Turbidity Measurements are Taken at the Wrong Location – Surface Water Treatment Filtration and Disinfection, 40 CFR 141.74(c)(1)

Turbidity measurement must be performed on representative samples of the system's filter water. For Kickapoo's treatment system, this representative sample location is where the two filter effluents are combined and before sodium hypochlorite is injected for disinfection.

The Combined Filter Effluent turbidity measurements are to be recorded daily, whether manually or electronically, and the highest CFE turbidity is then reported monthly. Monthly reporting requirements are outlined in 40 CFR §141.570. The Kickapoo Tribal PWS is also required to report any CFE turbidity measurements that are greater than 1 Nephelometric Turbidity Units during production of drinking water. All reports are to be made to the EPA, Region 7 Drinking Water Branch.

The representative CFE turbidity measurement must be performed on samples of the filter water for compliance utilizing one of the Corrective Action options below.

Corrective Action Option 1 – Attended Operations Only

A combined filter effluent tap is to be installed at the location where the two filter effluents are combined and before sodium hypochlorite is injected for disinfection. During the time the plant is in operation and producing water, a grab sample is to be taken every 4 hours from the CFE port and analyzed on a portable turbidimeter. Monthly reporting must be completed according to 40 CFR §141.570.

Corrective Action Option 2 – Unattended Operations Only

Install a combined filter effluent port with a turbidimeter that reads continuously at the location where the two filter effluents are combined and before sodium hypochlorite is injected for disinfection. The continuous data is recorded and stored in the current Supervisory Control and Data Acquisition system. After analysis of the SCADA data, monthly reporting must be completed according to 40 CFR §141.570.

Public Notice: No Combined Filter Effluent Turbidity Measurement Taken At the Appropriated Location – Surface Water Treatment Filtration and Disinfection 40 CFR 141.74(c)(1)

As required by 40 CFR §141.31(d) and 141.201(c)(3), within ten days of completing the public notification, or by September 15, 2016, the Kickapoo Tribal PWS shall submit certification that the public notice requirement was met. A copy of the notice and a signed certification statement are to be sent to Kimberly Burr via e-mail. A copy of the draft Public Notice and a certification statement are included with this Notice of Violation.

In the event that CFE turbidity exceeds 1 NTU, EPA Region 7 recommends the Kickapoo Tribal PWS stop production of drinking water, either manually or electronically through the alarm system, until an evaluation can be performed and the problem causing the high turbidity is resolved. Following option 1, the drinking water treatment plant production would be stopped manually in the event of a CFE turbidity reading above 1 NTU and not be operated unattended. Following option 2, the drinking water treatment plant would be operated unattended providing that an alarm system is set to stop production in the event of a CFE turbidity reading above 1 NTU.

If you have questions on this letter, please contact Kimberly Burr via e-mail at willis-burr.kimberly@epa.gov or by telephone at (913) 551-7069.

Sincerely,



Karen Flournoy
Division Director
Water, Wetlands and Pesticides Division

Enclosures

cc: Fred Thomas, Vice Chairman Kickapoo Tribe in Kansas
Eric Sheets, Kickapoo Tribe Environmental Director
Jim Conklin, Water Plant Lead Operator
Lyle Setwyn, Indian Health Service

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Kickapoo Tribe Public Water System Does Not Meet Treatment Monitoring Requirements

Our water system recently violated a drinking water monitoring requirement. Although this was not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did (are doing) to correct this situation.

A turbidimeter was not installed to monitor your water for turbidity (cloudiness) in an appropriate location following filtration. Monitoring at an appropriate location will tell whether we are effectively filtering the water supply.

What should I do?

- There is nothing you need to do. You do not need to boil your water or take other actions. We do not know of any contamination, and none of our testing has shown disease-causing organisms in the drinking water.
- If you have a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791.

What does this mean?

This is not an emergency. If it had been, you would have been notified within 24 hours. **Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.** These symptoms are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.

What is being done?

The Kickapoo Tribal Public Water System will install a turbidity meter at an appropriate location to measure turbidity (cloudiness) of the water after filtration.

For more information, please contact Jim Conklin at 785-741-1443 or at 1107 Goldfinch Road, Horton, KS 66439.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being posted by the Kickapoo Tribal Public Water System. EPA Water System ID#: 070000002.

Date distributed: _____.

CERTIFICATION STATEMENT

Kickapoo Tribal Public Water System
EPA PWSID #070000002

PWS NAME: _____
(system name)

No Combined Filter Effluent Turbidimeter or CFE Reporting

For violations: _____
(system identification number)

Occurring: Identified in Sanitary Survey April 2016

The public water system indicated above, hereby affirms that public notice has been provided to consumers in accordance with delivery, content, and format requirements and deadlines in 40 CFR Part 141, Subpart Q.

Consultation with primacy agency (if required) on: _____
(insert date) (name of EPA staff contacted)

Notice distributed by _____
(insert method) (insert date)

Notice distributed by _____
(insert method) (insert date)

Attached: A copy of all public notices used to reach customers is required to accompany this "Certification Statement".

Signature of official agent, owner or manager/operator

Date

Return to:

U.S. Environmental Protection Agency
Region 7
WWPD/DRWM
ATTN: Kimberly Burr
11201 Renner Boulevard
Lenexa, Kansas 66219

